

AM0773
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AMENDMENTS TO LB 500

1 1. Strike original section 26 and insert the following
2 new section:

3 "Sec. 30. Section 25-2501, Revised Statutes Supplement,
4 2004, is amended to read:

5 25-2501. It is the intent and purpose of sections
6 25-2501 to 25-2506 to establish a uniform procedure to be used in
7 acquiring private property for a public purpose by the State of
8 Nebraska and its political subdivisions and by all privately owned
9 public utility corporations and common carriers which have been
10 granted the power of eminent domain. Such sections shall not apply
11 to:

12 (1) Water transmission and distribution pipelines and
13 their appurtenances and common carrier pipelines and their
14 appurtenances;

15 (2) Public utilities and cities of all classes and
16 villages when acquiring property for a proposed project involving
17 the acquisition of rights or interests in ten or fewer separately
18 owned tracts or when the acquisition is within the corporate limits
19 of any city or village;

20 (3) Sanitary and improvement districts organized under
21 sections 31-727 to 31-762 when acquiring easements for a proposed
22 project involving the acquisition of rights or interests in ten or
23 fewer separately owned tracts;

24 (4) Counties and municipalities which acquire property

1 through the process of platting or subdivision or for street or
2 highway construction or improvements;

3 (5) Common carriers subject to regulation by the Federal
4 Railroad Administration of the United States Department of
5 Transportation; ~~or~~

6 (6) The Department of Roads when acquiring property for
7 highway construction or improvements; or

8 (7) Contracting public bodies when making acquisitions
9 pursuant to an approved development project plan under the
10 Entertainment and Tourism Development Act.".

11 2. On page 2, line 1, strike "30" and insert "29".

12 3. On page 3, line 8, after "cities" insert ",
13 counties,".

14 4. On page 4, line 1; page 6, line 9; page 8, line 24;
15 page 9, lines 5, 13, and 21; page 10, line 13; page 11, line 25;
16 page 12, lines 3 and 23; page 13, lines 10, 13, and 26; page 14,
17 lines 9, 12, 15, 17, and 22; page 15, lines 1, 2, 4, 17, and 27;
18 page 16, line 13; page 17, line 9; and page 29, lines 17, 20, 23,
19 and 27, after each occurrence of "city" insert ", county,".

20 5. On page 4, line 14, after "equipment" insert ",
21 furniture, fixtures,".

22 6. On page 5, line 3, strike "and (q)" and insert "(q)
23 engineering, architecture, and other designated planning expenses
24 incurred in connection with development of the project; (r)
25 capitalized interest; (s) legal, accounting, consulting, and all
26 other related expenses to develop and finance the development
27 project; and (t)"; strike beginning with "either" in line 9 through

1 "in" in line 15; and in line 28 strike "such" and insert "the" and
2 strike "village" and insert "county".

3 7. On page 6, line 1, strike "an abundance" and insert
4 "a high proportion"; and in line 17 after the first comma insert
5 "county board,".

6 8. Strike beginning on page 7, line 27, through page 8,
7 line 6, and insert the following new subdivision:

8 "(22) Qualified business activities means any activities
9 conducted by a company engaged in tourism, entertainment, or other
10 activities that are expected to be a significant contributor to
11 substantial retail purchases by travelers who are not residents of
12 this state which include, but are not limited to: Selling tangible
13 personal property or services at retail; providing or sponsoring
14 educational, musical, recreational, historical, civic, cultural,
15 and athletic activities; providing lodging and related services;
16 and sponsoring conventions, meetings, trade shows, and educational
17 events. Qualified business activities does not include any
18 business which is primarily engaged in the sale of tangible
19 personal property if the same or a substantially similar business
20 is operated in the state within twenty-five miles of the
21 development project at the date of the project application or was
22 operated in the state in the two years prior to the date of
23 application within twenty-five miles of the development project;".

24 9. On page 8, line 25, after the first "an" insert
25 "eligible" and strike "in" through "city".

26 10. On page 9, line 4, after the period insert "Such an
27 area shall not be within the zoning jurisdiction of a city of the

1 metropolitan, primary, first, or second class for an applying
2 county.".

3 11. On page 10, line 22, after "city's" insert ",
4 county's,".

5 12. On page 11, lines 8 and 9, strike "thirty-six months
6 after the date of designation" and insert "two years after the
7 effective date of this act".

8 13. On page 12, line 11, after "companies" insert "and
9 any anticipated developments contemplated by the company and any
10 related companies".

11 14. On page 13, line 1, strike "and"; and in line 8
12 before the period insert "; and

13 (j) A detailed plan outlining the financing of the
14 proposed development project, including the amount to be obtained
15 from any public entity, tax proceeds, or bond issue".

16 15. On page 19, line 10, strike "board" and insert
17 "Department of Revenue".

18 16. On page 21, line 2, after "county" insert "in which
19 is" and strike "in"; in line 3 after "district" insert "that is
20 outside the boundaries of any municipality with a local option
21 sales tax"; and in line 8 after the period insert "The total rate
22 of county and municipal sales taxes imposed on transactions shall
23 not exceed one and one-half percent".

24 17. On page 28, line 20, strike "and (c)" and insert
25 "(c) the contracting public body shall not, in consequence of the
26 annexation under this subdivision of any noncontiguous land, make
27 further annexations contiguous to the noncontiguous annexed land

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1 until such time as there is a lawful annexation of sufficient
2 intervening territory so as to directly connect the noncontiguous
3 area to the main body of the contracting public body, (d) there
4 shall be no annexation across county lines, and (e)".

5 18. On page 30, line 2, strike "lightening" and insert
6 "lightning"; and strike lines 7 through 27 and insert the following
7 new subsection:

8 "(2) In addition to the requirements of subsection (1) of
9 this section, the requirements of the Relocation Assistance Act
10 apply for the fair and equitable treatment of persons displaced as
11 a result of any development project."

12 19. On page 50, line 19, strike "section" and insert
13 "sections 25-2501 and"; and in line 20 strike "is" and insert
14 "are".

15 20. Renumber the remaining sections and correct internal
16 references accordingly.